

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALFREDO GARCIA, *individually and in
behalf of all other persons similarly situated,*

Plaintiff,

– against –

3662 BROADWAY RESTAURANT
CORP. D/B/A TAQUERIA SAN PEDRO,
and Albertico Chavez, *jointly and severally,*

Defendants.

ORDER

19 Civ. 8297 (ER)

RAMOS, D.J.:

Defendant Albertico Chavez filed a Suggestion of Bankruptcy with this Court on November 21, 2019, indicating he had filed a voluntary petition in the U.S. Bankruptcy Court for the Southern District of New York for relief under chapter 13 of the U.S. Bankruptcy Code. Doc. 16. That filing automatically stayed these proceedings as to him, only. 11 U.S.C. § 362(a).

On November 23, 3662 Broadway Corp. moved to have Chavez’s stay extended to itself because it is wholly owned by Chavez and any resolution of a claim against the corporation would have an “immediate adverse economic impact” on Chavez. Doc. 17 (citing *Queenie, Ltd. v. Nygard*, 321 F.3d 283, 288 (2d Cir. 2003)). It simultaneously moved this Court for the same relief in a related case, *Lopez v. 3662 Broadway Restaurant Corp. et al.*, No. 19 Civ. 975 (ER), Doc. 24. On December 19, the Court granted the motion in *Lopez*, without objection from the plaintiff.

The Court GRANTS the defendant’s motion here, as well. This case is STAYED against all defendants pending the disposition of bankruptcy proceedings concerning

defendant Albertico Chavez. Garcia may object in writing to this stay by January 20, 2020, at which point the Court will set a schedule for briefing.

It is SO ORDERED.

Dated: December 19, 2019
New York, New York



EDGARDO RAMOS, U.S.D.J.